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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/599,913	10/23/2006	Hyae Gyeong Cheon	DE1700PCT	6550
79681	7590	09/28/2009	EXAMINER	
David A. Einhorn, Esq. Baker & Hostetler LLP 45 Rockefeller Plaza New York, NY 10111			BAEK, BONG-SOOK	
			ART UNIT	PAPER NUMBER
			1614	
			MAIL DATE	DELIVERY MODE
			09/28/2009	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
10599913	10/23/2006	CHEON ET AL.	DE1700PCT

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EXAMINER

BONG-SOOK BAEK

ART UNIT**PAPER**

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20090924

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Commissioner for Patents

The reply filed on 8/7/2009 is not fully responsive to the prior Office Action because: In the previous office action mailed on 5/8/2009, Examiner stated that claim 10 is not readable on the elected species since the indene ring of the elected species is substituted with hydroxyl group and phenyl group at position 1 while the indene derivative of formula (I) recited in claim 10 can not be substituted with either hydroxyl group or phenyl group at position 1 (R_1), thus does not encompass the elected species. However, applicant did not address the issue or present any argument in the response filed on 8/7/2009. Also, claims 8-9 are dependent from claim 10, thus they are not readable on the elected species. In addition, claim 4 recites "the compound of claim 10, which is selected from the group consisting of", but all the compounds listed in the claim have been crossed out, thus there is no compound to select. Therefore, there are no claims, which are readable on the elected species.

Since the period for reply set forth in the prior Office action has expired, this application will become abandoned unless applicant corrects the deficiency and obtains an extension of time under 37 CFR 1.136(a).

The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. In no case may an applicant reply outside the SIX (6) MONTH statutory period or obtain an extension for more than FIVE (5) MONTHS beyond the date for reply set forth in an Office action. A fully responsive reply must be timely filed to avoid abandonment of this application.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to BONG-SOOK BAEK whose telephone number is 571-270-5863. The examiner can normally be reached 8:00-5:00 Monday-Thursday. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ardin Marschel can be reached on 571-272-071818. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

/Bbs/

/Brian-Yong S Kwon/
Primary Examiner, Art Unit 1614